

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

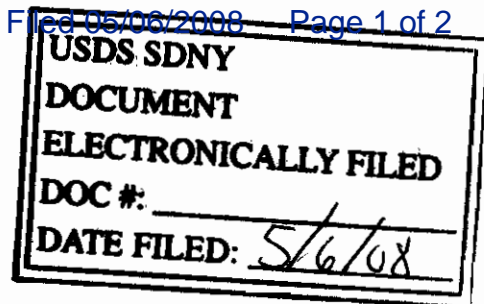
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DAVID GORDON
and JACQUILINE SWISKEY,

Plaintiffs,

-against-

BRIAN PALUMBO, et al.

Defendants.
-----X



07 Civ. 6624(PKC)(DCF)

ORDER

P. KEVIN CASTEL, District Judge:

Plaintiffs ask that I recuse myself from this action. The action is brought by plaintiffs who are co-tenants in a Manhattan apartment against over 30 defendants, including a law firm representing the managing agent of the building, complaining of a variety of wrongs. Damages of \$3.1 billion are sought. The complaint is fifty pages in length. The basis for the request is that one of the defendants in this action is the American International Group ("AIG") and that the undersigned's former firm has represented and presently represents AIG.

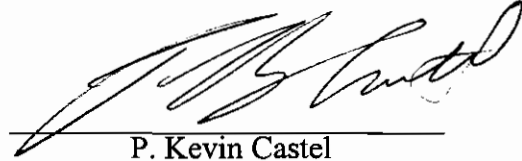
I took office as a district judge on November 4, 2003. Prior to that time, I was a partner in the law firm, Cahill Gordon & Reindel LLP, and AIG was a major client of the firm. On infrequent occasions (perhaps four matters over 20 years as a partner), I did work for AIG. It was not a client for which I had principal responsibility. This case is in an area in which I have never done any work for AIG—homeowner's or tenant's insurance. (Paragraph 39-40.) To the best of my recollection, I have not spoken to any employee of AIG on any subject since becoming a judge. AIG is represented in this action by the law firm of Green & LaVelle. I do not recall ever having heard of the law firm prior to this action.

No reasonable person could conclude on the above facts (and those relied upon by plaintiffs) that the undersigned has personal bias or prejudice concerning any party; nor is there any basis to conclude that the undersigned has personal knowledge of any disputed evi-

dentiary facts. 28 U.S.C. § 455(b). I never served as lawyer in the matter in controversy nor, to the best of my knowledge, did my former firm. 28 U.S.C. § 455(b). No reasonable person could conclude that the undersigned is biased. 28 U.S.C. § 455(a).

The application is denied.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'P. Kevin Castel', is written over a horizontal line.

P. Kevin Castel
United States District Judge

New York, New York
May 2, 2008